REMARKS

This Preliminary Amendment accompanies a Request for Continued Examination (RCE) which is being filed concurrently herewith. Claims 1 to 38 are in the application, of which Claims 1, 24 and 38 are independent. Reconsideration and further examination are respectfully requested.

This Preliminary Amendment is also responsive to the Office Action dated January 11, 2005, which entered a final rejection of all claims. More specifically, Claims 1 to 5, 8 to 10, 17, 21 to 30 and 38 were rejected under 35 U.S.C. § 103(a) over U.S. Patent 6,233,252 (Barker) in view of U.S. Patent 5,151,696 (Miller) and in further view of U.S. Patent 6,128,644 (Nozaki); Claims 6, 7, 11 to 16 and 37 were rejected under § 103(a) over Barker in view of Miller and Nozaki and further in view of U.S. Patent 5,619,649 (Kovnat); Claim 18 was rejected under § 103(a) over Barker in view of Miller and Nozaki and further in view of U.S. Patent 5,862,223 (Walker); and Claims 19, 20 and 31 to 36 were rejected over Barker in view of Miller and Nozaki and further in view of U.S. Patent 5,940,504 (Griswold).

The foregoing rejections were adhered to in an Advisory Action dated March 23, 2005. Reconsideration and withdrawal of the rejections are respectfully requested.

The invention concerns control over a server in order to distribute document folders to recipient devices of a recipient, wherein the server is a member of a system that includes at least one sending device, a plurality of servers, and at least one receiving

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device. The recipient is notified of the electronic document folder with an indirect reference, the indirect reference including a code to identify the electronic document folder intended for the recipient. A destination server is selected from amongst the plurality of servers based on data provided by the recipient when the recipient wishes to retrieve the electronic document folder, the data including address information of the destination server designated by the recipient. A temporarily-stored electronic document folder is thereafter accumulated at the selected destination server. The receiving device of the recipient can retrieve the accumulated electronic document folder from the destination server based on the code included in the indirect reference.

Thus, as defined in the claims herein, at least two features characterize the invention. First, it is the server that selects the destination server, and it makes that selection based on data provided by the recipient when the recipient wishes to retrieve the electronic document folder. Second, to retrieve the accumulated electronic document folder from the destination server, the receiving device of the recipient utilizes an indirect reference that is notified to the recipient.

The art applied against the claims is not seen to disclose or to suggest the foregoing arrangement, and is particularly not seen to disclose or to suggest at least the foregoing two characterizing features, namely selection by the server of a destination server and retrieval from the destination server using an indirect reference.

With respect to the first feature, for example, Barker's computer 11 sends a segmented file to motion picture theater 17. However, computer 11 does not select the destination of the motion picture theater 17, and it most certainly does not select the

destination of motion picture theater 17 based on data provided by the recipient when the recipient wishes to retrieve an electronic document folder. Likewise, since Miller sends a file directly from a server to the client, there is no structure that might correspond to a destination server and there is therefore nothing in Miller that describes a server that selects a destination server from among a plurality of servers based on data provided by a recipient when the recipient wishes to retrieve an electronic document folder.

For its part, Nozaki describes the distribution of server load in a situation where a client accesses a server. However, it is client 100 which selects the server whose load is the lightest. Thus, in Nozaki, the server is selected by the client. Therefore, nothing in Nozaki describes a server that selects a destination server from amongst a plurality of servers based on data provided by a recipient when the recipient wishes to retrieve an electronic document folder.

With respect to the second feature (namely retrieval through use of an indirect reference), nothing in the art describes an indirect reference through which a receiving device of a recipient can retrieve an accumulated document folder from a destination server via a network. The Office Action equates the sequence numbers from Barker's segmented files to the claimed indirect reference. Applicants have already asserted their position that Barker's sequence numbers do not correspond to a notification of an indirect reference, and they incorporate that assertion here by reference. Moreover, Applicants further take the position that Barker's sequence numbers could not possibly correspond to the claimed indirect reference, since nothing in Barker describes retrieval of an accumulated electronic document folder from a destination server via a network based

on the sequence numbers. In contrast, according to the claimed invention, the receiving

device of a recipient can retrieve an accumulated electronic document folder from a

destination server via a network based on a code included in the indirect reference.

It is therefore respectfully submitted that the claims herein define subject

matter that would not have been obvious from any permissible combination of the applied

art, and allowance of the claims herein is therefore respectfully requested.

It is believed that the foregoing fully addresses all outstanding issues.

However, if the Examiner has any questions concerning this response, then she is

respectfully invited to contact the undersigned at (714) 540-8700.

Applicants' undersigned attorney may be reached in our Costa Mesa,

California office at (714) 540-8700. All correspondence should continue to be directed to

our below-listed address.

Respectfully submitted,

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